

REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks.

Status of the Claims

Claims 1-77 were originally pending in this application among which claims 8 and 22-77 have been withdrawn from consideration, i.e., claims 1-7 and 9-21 are currently pending. Claims 1, 10, 14 and 20 are independent. Claims 1, 3, 4 and 9-21 have been rejected under 35 U.S.C. §103(a). Dependent claims 2 and 5-7 have been indicated as allowable if rewritten in independent form.

Rejection under 35 U.S.C. §103

In paragraph two (2) of the Office Action, claims 1, 3, 4 and 9-21 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,502,484 to Okada ("Okada") in view of U.S. Patent No. 5,210,563 to Hamada et al. ("Hamada"), and in further view of U.S. Patent No. 4,992,855 to Takei ("Takei").

One of the aspects of the present invention as set forth commonly in the pending claims (e.g., independent claims 1, 10, 14 and 20) of the present application is that the sampling timing of the sampling means of the image sensing device to acquire a shake information signal is variable within a sampling interval in accordance with a drive condition of the image sensing device.

With the above-feature of the present invention, the difference between the shake detection information sampling timing and shake correction timing can be removed, improving

the shake correction effect of the image sensing device, even when the drive condition of the image sensing device is changed (e.g., electronic shutter ON) during the operation (see, for example, lines 12-21 of page 21 and lines 1-24 of page 28 of the original specification).

The Examiner states that Okada fails to teach this aspect of the present invention (see, for example, page 3 of the Office Action) and then cites Hamada for the lacking element in Okada. The Examiner specifically cites Fig. 11B and line 54 of col. 10 - line 9 of col. 11 of Hamada for support of the rejection.

Hamada discloses an optical camera capable of blurring correction that includes a sensor detecting camera-shake amount, and a blurring correcting device correcting blurring of an image on the basis of the sensor output. Hamada's blurring correction method involves determining whether the exposure time T_{EV} exceeds the permissible exposure time T_K , and depending on the determination, the blurring is corrected by extending or reducing the exposure time (e.g., col. 7, lines 30-57). Hamada further discloses using a flash light emission to compensate for the reduced portion of the exposure time when reducing exposure time (e.g., col. 9, lines 46-50).

Nothing in Hamada, however, including the cited portion by the Office Action (i.e., Fig. 11B and line 54 of col. 10 - line 9 of col. 11) teaches or suggests that the sampling timing is variable within a sampling interval in accordance with a drive condition of the image sensing device. The cited portion of Hamada merely describes a determination step as to whether the exposure correction amount is more or less of a predetermined value (e.g., $2\Delta Ev$).

The Examiner cites Takei as disclosing that it is advantageous to have the exposure period be less than one field period to enable a video tape recorder to reproduce a clear picture without shaking of the images. Takei, however, also fails to show or suggest at least one of the

aspects of the claimed invention as discussed above.

Accordingly, Applicant believes that each of claims 1, 10, 14 and 20 is neither anticipated by nor rendered obvious in view of the cited references (i.e., Okada, Hamada and Takei), either taken alone or in combination, for at least the reasons as discussed above.

Reconsideration and withdrawal of the rejections of claims 1, 10, 14 and 20 under 35 U.S.C. §103(a) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the foregoing places the independent claims from which they respectively depend in condition for allowance. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

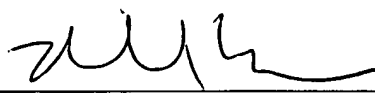
AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4510). **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
MORGAN & FINNEGAN LLP

Dated: September 10, 2003

By: 
Richard W. Erwine
Registration No. 41,737

CORRESPONDENCE ADDRESS:
MORGAN & FINNEGAN L.L.P.
345 Park Avenue
New York, New York 10154
(212) 758-4800